

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE


SIMON OFFORD, III,)	CASE NO.: C07-1554-RAJ
)	
Petitioner,)	
)	
v.)	ORDER DISMISSING
)	§ 2254 PETITION
TIMOTHY WENGLER,)	
)	
Respondent.)	
_____)	

The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's answer to the petition, the Report and Recommendation ("R&R") of the Honorable Mary Alice Theiler, United States Magistrate Judge, petitioner's objections to the R&R, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the R&R;
- (2) Petitioner's federal habeas petition (Dkt. # 4) is DISMISSED, with prejudice, under 28 U.S.C. § 2244(d);
- (3) Petitioner's motion for an evidentiary hearing (Dkt. # 16) and motion to appoint counsel for the evidentiary hearing (Dkt. # 17) are DENIED; and

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- 02
- 03 (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for
- 04 respondent, and to Judge Theiler.
- 05

06 DATED this 25th day of April, 2008.

07 
08 The Honorable Richard A. Jones
09 United States District Judge

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